



AOC Regional Offices

Partnerships With the Courts

One of the most significant realignments in the structure of the Administrative Office of the Courts (AOC) has been the establishment of three regional offices in the Northern/Central, Bay Area/Northern Coastal, and Southern parts of the state.

This new regional presence represents a tremendous opportunity for the AOC and the courts to partner more effectively in addressing local needs and meeting new state-level responsibilities. The offices' main goals are to bridge differences, build local commitment to shared goals, create consensus and trust to implement projects, ensure ongoing communication with presiding judges and court executives, and help provide needed administrative services.

INCREASED COMMUNICATION AND COLLABORATION

One of the ways in which the regional offices are meeting their goals is by increasing their communication with the courts.

Staffs at the regional offices are increasing communication by making on-site visits, organizing and conducting meetings between the AOC and court staff, and facilitating conferences among various courts. The meetings provide a venue in which court leaders can share information with one another. And, importantly, the information regional staff collects at these meetings helps to ensure that the region's perspectives are brought to the AOC and the Judicial Council.

For example, the Southern Regional Office is helping to lead the Southern Technology Project. In collaboration with the courts and an outside consultant, the regional office is working to create a fully compatible case management system that may eventually be used by all the courts. In addition, the regional administrative directors participated in the development of statewide court-related legislation regarding security, facilities, and regional collaboration. Having already met with local court officials, they were able to bring the trial courts' perspectives to the discussions.

"Our local presence makes it easier to share with the courts new statewide directives and ini-

tiatives and also allows us to get a clearer picture of their situation," says Michael M. Roddy, the regional director in the AOC's Northern/Central office.

The meetings that the regional offices host not only bring people together, but save the courts on expenses by providing local meeting space. "One of the biggest surprises has been the constant demand for our conference rooms," adds Mr. Roddy. "It seems like we are having a meeting almost every day."

Rather than flying trial court staff up to the AOC headquarters in San Francisco for training or paying to hold a meeting/training in a hotel, the AOC can send trainers to the regional offices. This reduces costs for both trial courts and the AOC. The AOC's Center for Judicial Education and Research (CJER) offers a series of regional trainings for managers and staff on a variety of topics, including "Coaching Skills" and "Conflict Management." Court leaders and staff have also been taking advantage of videoconferencing equipment at the regional offices as a way of saving on travel expenses.

CORE SERVICES

As the regional offices have developed, the courts have indicated critical service needs in specific areas, such as finance, human resources, legal, and information technology. To address these concerns, the regional offices have added or



AOC Southern Regional Director Sheila Gonzalez makes a presentation to the Criminal Law Advisory Committee in the AOC's Burbank office.

plan to add personnel to their staffs with specific experience in these fields.

"One of the first steps was to communicate to the courts the services that our office could offer," says Mr. Roddy. "We want them to know that they can always come to us for assistance or with a question if they don't know where else to turn. The reaction from the courts has been very positive."

The regional offices offer human resources assistance in the form of job/salary analysis and recommendations, orientation and support of new HR managers, employer and employee relations counseling, employee training, and job fairs. Financial services offered include assistance with managing budgets, budget change proposals, setting budget priorities, and researching information for and responding to questions from the Department of Finance and the Legislative Analyst's Office.

"The budget situation in
Continued on page 6

IN THIS ISSUE

REGIONAL OFFICES	1
DISTINGUISHED SERVICE AWARD RECIPIENTS	1
MESSAGE FROM THE CHIEF JUSTICE	2
COUNCIL APPROVES ARBITRATOR ETHICS STANDARDS	3
ASSIGNED JUDGES PROGRAM	3
NEW BUDGET COMMITTEE	3
IN THE NEWS	4
GRANT UPDATE	4
HR UPDATE	5
MOVERS & SHAKERS: JUSTICE JUDITH MCCONNELL	5
ACCESS TO JUSTICE REPORT	6
Q&A WITH COUNTY COUNSEL ANN MILLER RAVEL	8
CRIME AND PUNISHMENT	9
MENTAL HEALTH COURTS BROADCAST	9
KLEPS WINNERS	10
WATCH ON WASHINGTON	12
ADOPTION MONTH	12
2002: YEAR IN REVIEW	13
EDUCATION & DEVELOPMENT	17
RESOURCES	17
COURT BRIEFS	18
MILESTONES	18
JUDICIAL APPOINTMENTS	19
NEW COMMITTEE MEMBERS	19
CALENDAR	20

Council Honors Leaders With Distinguished Service Awards

A presiding judge, juvenile court judge, court executive officer, Administrative Office of the Courts' director, and law professor have been honored with this year's 2002 Distinguished Service Awards, the highest Judicial Council honor for those who demonstrate extraordinary leadership and make significant contributions to the administration of justice in California.

The Judicial Council announced the award recipients at its December 13 meeting. Chief Justice Ronald M. George will present the awards (now in their tenth year) during the 2003 Cal-

ifornia Judicial Administration Conference (CJAC), which takes place February 25–28 in San Francisco.

The recipients of the 2002 Distinguished Service Awards follow.

JURIST OF THE YEAR AWARD

Judge James A. Bascue was selected for his contributions to the administration of justice and for his leadership as Presiding Judge of the Superior Court of Los Angeles County.

A judge since 1990, Judge Bascue recently completed a two-year term as presiding judge

of the largest trial court in the nation, with 55 court locations serving 9.8 million county residents. He has been a leader of court-community outreach and has developed programs that enhance service to the community and increase the quality of justice for residents of Los Angeles County.

As Assistant Presiding Judge of the Superior Court from 1999 to 2000, Judge Bascue was instrumental in leading the implementation of trial court unification in Los Angeles, which doubled the size of the superior court. Judge Bascue has
Continued on page 7

2002 YEAR IN REVIEW

In its first chronology of state court administration in California, *Court News* notes the milestones and many of the hurdles of the last year. See page 13.



Chief Justice
Ronald M.
George

MESSAGE FROM THE CHIEF JUSTICE

State Budget Challenges Judiciary

Chief Justice Ronald M. George addressed the implications of the state's financial challenges for the judicial branch at the Judicial Council meeting on December 13 in San Francisco. Chief Justice George made the remarks just days after the Governor proposed reductions in the 2002–2003 and 2003–2004 State Budgets, including sizeable cuts to the judiciary.

It is clear to us all that California and other states across the nation are dealing with a severe financial crisis. California is facing a budget deficit of more than \$30 billion. Across the board, state and county operations are taking substantial budget cuts and making difficult decisions that are having a direct impact on services to the public. The budget for the Governor's top priority, state education programs, is expected to fall by billions of dollars; thousands of vacant state positions have been eliminated; and layoffs are expected for executive branch agencies. Counties throughout the state have instituted hiring freezes and reduced funding for health and welfare services and public safety. State court systems in more than 45 states are experiencing budget reductions.

JUDICIARY DOING ITS PART

In California, the judicial branch was one of the first to step forward voluntarily in the spring of 2001 to participate in this painful but necessary process. In the last fiscal year, we reduced our budget requests by \$213 million. We also absorbed a budget reduction of \$37.6 million—\$28.3 million for the trial courts and \$9.3 million for the appellate courts and the AOC. This year again, we were required to make further one-time reductions of \$154 million—5 percent of the total budget for the branch. Now, with the state's budget deficit continuing to grow, the Governor has proposed an additional \$60 million in midyear funding reductions, and reductions totaling \$230 million in the fiscal year 2003–2004 budget.

STEPS TAKEN TO REDUCE BUDGETS

I appreciate that presiding judges and court executives of the trial courts, and administrative presiding justices and clerk/administrators of the appellate courts, already have made great efforts to manage current-year reductions in ways that have the least impact on access to justice for our communities. Trial courts have had to reduce hours, services, and even staff to operate within their reduced budgets. We also have shared with you budget management guidelines designed to assist the appellate courts and the AOC in reducing costs. These actions include:

- ☐ A required 90-day vacancy period after an employee leaves a position, and a review to see whether the position can be eliminated;
- ☐ Reductions in the salary adjustment levels for staff;
- ☐ Restrictions on in-state and out-of-state travel; and
- ☐ Setting a limit of two meetings per year for advisory committee meetings through the end of the fiscal year.

PROTECTING ACCESS TO JUSTICE

I have indicated to the Governor and the Legislature that we will join with our fellow branches of government in taking the necessary steps to address the serious funding shortfalls. At the same time, I have emphasized that the judicial branch is responsible for the fair administration of justice in our democratic system. We have a duty to protect the vital constitutional role of our courts in providing timely access to impartial justice for the people of California.

While the judicial branch budget may be the "weakest branch," and while it is only about 2 percent of the state's budget (and less than 2 percent of the General Fund budget), the judiciary is part of state government and must continue to bear some of the pain in responding to our state's financial crisis.

As we consider how to reduce our budget—and we shall reduce the courts' budgets—we must fulfill the public's trust to protect the values of our American justice system, which make our system of government so unique. In making appropriate responsible decisions, this council and all decision-makers must guard against the temptation to make swift, across-the-board decisions that may have unintended adverse consequences far greater than this financial crisis.

In doing so, we must be cognizant of the limitations imposed by the guarantees in our federal and state Constitutions and of related state statutory limitations that preclude any reduction in approximately two-thirds of the judicial branch budget. We must guard against sweeping reductions that may detrimentally limit access by our citizens to their courts in vital areas such as contract disputes, personal injury, and family law. All gov-

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ernment leaders share the responsibility to protect the judicial branch as a co-equal, co-reliant branch, responsible and accountable for the fair administration of justice, and all three branches of government share responsibility to ensure equal access for all to strong, fair, and impartial courts.

MEETING FINANCIAL CHALLENGE

This does not mean we cannot make temporary reductions in the courts' budgets while protecting the public's right to access. Indeed, we have done so this year by making reductions of \$154 million. We may have pushed the limits of what is possible when one considers the regrettable partial closure of some courts and the delay of vital reforms. While we need to carefully consider whether we can make the same level of reductions next year, we can make some additional reductions if we have the strength of will to re-examine how we conduct our business in many areas (such as security, traffic adjudication, maintaining the record of court proceedings, etc.).

As we move forward in this uncertain fiscal environment, our goal is to continue to fully participate in discussions and to ensure that reductions are made in a

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responsible way so that public access to the courts in vital areas is not unreasonably impaired. We will leave no stone unturned in reviewing options, including possible statutory changes and restructuring of operations, that will allow the courts to function more efficiently while controlling costs. We also will consider every possible option to increase revenues, including fee increases and enhanced fine collection programs.

In response to concerns expressed to me by judges, lawyers, court employees, and concerned citizens, I—with the help of our two fellow branches of government—will continue to work to protect access to our courts. We shall attempt to limit the adverse consequences on vital reforms that are aimed at providing access to the poor, improving public access to court records, providing necessary counsel and interpreter services, and maintaining specialized courts focused on drug abuse, domestic violence, mental health, and complex litigation.

I will be meeting personally with the Governor, as well as members of the Legislature, to discuss how we can work together to protect the vital functions of the judicial branch. Rest assured that we will be working hard to protect court employees and to maintain the tremendous advances we already have made in improving access to justice for the public we serve.

Take
Note

For the full
text of the
Chief Justice's
remarks, visit

the California Courts Web
site at [www.courtinfo
.ca.gov/reference
/budget1202.htm](http://www.courtinfo.ca.gov/reference/budget1202.htm).

Judicial Council Action

Council Approves Changes to Arbitrator Ethics Standards

At its December 13 meeting, the Judicial Council approved changes to its recently adopted ethics standards for neutral arbitrators in contractual arbitration.

The council in April adopted comprehensive ethics standards for contractual arbitrators in California. The new guidelines, the first of their kind in the country, were designed to protect the integrity and fairness of the arbitration process. The changes to the standards are designed to improve their clarity and to minimize the burden on the arbitrator, while continuing to maintain the desired ethical obligations. The full text of the changes can be found at www.courtinfo.ca.gov/rules/amendments/arb_eth03.pdf.

PROPOSED LEGISLATION

At its meeting, the council also voted to support proposed legislation that would:

- Permit the conversion of some subordinate judicial officer (SJO) positions to judgeships in state trial courts. The legislation is designed to help courts achieve a balance between the numbers of judges and SJOs working in their counties. Fifty SJO positions are likely to be targeted for conversion in legislation to be introduced in 2003.
- Continue payment for court-appointed defense counsel in the state's appellate courts during future budget impasses.
- Permit courts to order publication of a service of sum-

mons in newspapers outside the state. Current law limits publication to California newspapers.

- Provide that when a person is granted probation under the Substance Abuse and Crime Prevention Act (Proposition 36), probation and jurisdiction may be transferred—at the discretion of the sentencing judge—to the defendant's county of permanent residence. The proposal would establish a uniform procedure for the transfer of Prop. 36 cases and allow courts to

carry out their mandate under that law.

- Delete a requirement that each prospective juror be given "an opportunity to elect to serve on a jury with respect to a trial held anywhere in the county." The proposed legislation addresses concerns that the requirement creates administrative problems for the courts and could be interpreted to permit potential jurors to arbitrarily select the locations where they would serve.

OTHER ACTIONS

In other actions, the council:

- Adopted a new rule of court that creates the Court Security Working Group, which will be composed of representatives of the judicial branch, county sheriff's departments, and county government. The group will make recommendations to the council on changes in funding for court security. Government Code section 69927(a)(1) requires the creation of the working group and specifies its membership.
- Adopted a new rule of court establishing guidelines for the management of all claims and lawsuits affecting the council, the AOC, the courts, and the judicial officers and employees of those entities. ■

Assigned Judges Required to Comply With New Policy

Chief Justice Ronald M. George is asking judges who wish to continue in the Assigned Judges Program to certify their compliance with a new policy on private dispute resolution.

Prior to January 1, the Standards and Guidelines for Judicial Assignments restricted judges serving on assignment from engaging in any private dispute resolution activities on any day of assignment or from using any court resources for these activities. The new policy states that assigned judges may not be engaged in privately compensated dispute resolution activities during their tenure in the Assigned Judges Program.

The intent of the new policy

is to avoid any public perception of a potential conflict of interest created by a judge sitting on assignment in the public courts and concurrently providing private services to litigants for a fee. It also is meant to ensure that those serving in the Assigned Judges Program can give their full attention to their court assignments.

Retired judges received a letter in July giving them notice of the new guidelines. In December, judges were asked to complete an application certifying their compliance with the new policy and their desire to remain in the Assigned Judges Program. Accompanying the application was a document that answers frequently asked ques-

tions (FAQ) about the new policy. The FAQ document clarifies definitions used in the guidelines and addresses issues such as serving as a referee, serving on a board or committee of a private dispute resolution organization, taking an assignment with a court-connected mediation program, and consequences of noncompliance.

Retired judges must make their election to stay in the Assigned Judges Program by January 31.

- For more information, contact Marcia M. Taylor, Managing Attorney of Appellate and Trial Court Judicial Services, 415-865-4255; e-mail: marcia.taylor@jud.ca.gov. ■

New Council Rules and Forms

At its November 1, 2002, business meeting, the Judicial Council adopted many new and amended California Rules of Court and council forms. Areas of the law addressed include appellate, civil and small claims, criminal, family and juvenile, probate and mental health, technology, and traffic. The changes, which went into effect on January 1, are listed by topic and rule/form number. Additional information on the new and amended rules and forms is available at www.courtinfo.ca.gov/rules/amendments.htm and www.courtinfo.ca.gov/forms/latest.htm.

Judicial Branch Budget Advisory Committee

Judith McConnell, Chair
Associate Justice of the Court of Appeal, Fourth Appellate District

José Octavio Guillén
Executive Officer
Superior Court of Riverside County

William A. MacLaughlin
Judge of the Superior Court of Los Angeles County

Jody Patel
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Vance W. Raye
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Brian Walsh
Judge of the Superior Court of Santa Clara County

Thomas Edward Warriner
Judge of the Superior Court of Yolo County

Michael Yerly
Clerk/Administrator
Court of Appeal, Sixth Appellate District

New Committee Advises on Judicial Budget

The mounting budget deficit facing the state and its potential impact on the courts is just one of the challenges that the newly created Judicial Branch Budget Advisory Committee (JBBAC) discussed at its first meeting on November 18–19 in San Francisco.

The committee will advise the Judicial Council and the Administrative Director of the Courts on the preparation, development, implementation, and advocacy of the state judicial branch budget. For purposes of the committee, the budget of the judicial branch consists of the Supreme Court, the Courts of Appeal, the superior courts, the Judicial Council, and the Administrative Office of the Courts, and does not include the Commission on Judicial Performance and the Habeas Corpus Resource Center. The budget for the superior courts was formerly developed by the Trial Court Budget Commission, which expired on December 31, 2001.

The new budget advisory committee will not be involved in budget management but will provide high-level tactical and process advice,

- including:
- Recommendations from other council advisory committees on budget priorities;
 - Recommendations from the trial and appellate courts;
 - Information on the fiscal condition of the state;
 - Analysis of other factors and trends affecting the judicial system and the state; and
 - Assessment of the progress of the courts and other judicial branch agencies in meeting the goals established by the Judicial Council.

NEXT STEPS

The committee will be addressing several specific areas that affect the judicial branch budget. It plans to look at the possibility of amending statutes governing the retention period for court records. Recent legislation has increased the time courts must keep records and this has added to the trial courts' financial burden. In addition, the committee and its staff will work on securing alternative funding for the trial court audit program.



The Judicial Branch Budget Advisory Committee (JBBAC) held its initial meeting on November 18–19 in San Francisco. The committee will advise the Judicial Council and the Administrative Director of the Courts on the preparation, development, implementation, and advocacy of the state judicial branch budget.

The next JBBAC meeting is scheduled for January 22–23, and the agenda is likely to revolve around the proposed reductions to the judicial branch budget and their potential impact on the courts.

- For more information on the Judicial Branch Budget Advisory Committee, contact Bob Fleshman, AOC's Finance Division, 415-865-7531; e-mail: bob.fleshman@jud.ca.gov.